

**Robert S. May, OSB No. 980040**

**rmay@kilmerlaw.com**

Kilmer, Voorhees & Laurick, P.C.  
Attorneys at Law  
732 N.W. 19th Avenue  
Portland, Oregon 97209-1302  
Telephone: (503) 224-0055  
Fax: (503) 222-5290

Of Attorneys for Defendants 2275 W Burnside LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

Portland Division

**AUSTIN GOODRICH,**

Plaintiff,

v.

**2275 W BURNSIDE LLC and TLC  
BOOKKEEPING AND TAX PREP INC.,**

Defendants.

Case No. 3:20-CV-670-JR

**DEFENDANT 2275 W BURNSIDE, LLC'S  
ANSWER AND AFFIRMATIVE  
DEFENSES**

Defendant, 2275 W Burnside, LLC (hereafter, "2275"), by and through its attorney of record, Robert S. May of Kilmer, Voorhees & Laurick, P.C., hereby responds to Plaintiff's Complaint with its Answer and Affirmative Defenses, and states as follows:

**JURISDICTION AND THE PARTIES**

1. Answering paragraph 1, 2275 admits this Court has jurisdiction and that venue is proper in the U.S. District Court of Oregon, Portland Division.

**Page 1 – DEFENDANT 2275 W BURNSIDE, LLC'S ANSWER AND AFFIRMATIVE  
DEFENSES**

KILMER VOORHEES & LAURICK, P.C.  
A PROFESSIONAL CORPORATION  
732 N.W. 19<sup>th</sup> AVENUE  
PORTLAND, OREGON 97209-1302  
(503) 224-0055 · FAX (503) 222-5290

2. Answering paragraph 2, 2275 admits that Plaintiff is a tenant residing at 2005 Main Street, Forest Grove, Oregon. 2275 lacks knowledge as to whether Plaintiff is a taxpayer.

3. Answering paragraph 3, 2275 admits it is the owner of the building at 2005 Main Street in Forest Grove, Oregon.

4. Answering paragraph 4, 2275 denies.

### **FACTUAL ALLEGATIONS**

5. Paragraph 5 is merely a qualifying statement as to the basis of plaintiff's allegations herein, therefore, no response is required.

6. Answering paragraph 6, 2275 denies.

7. Answering paragraph 7, 2275 denies.

8. Answering paragraph 8, 2275 denies.

### **CLAIMS FOR RELIEF**

#### **(26 USC § 7431)**

9. Answering paragraph 9, 2275 denies.

#### **Invasion of Privacy**

10. Answering paragraph 10, 2275 denies.

### **AFFIRMATIVE DEFENSES**

BY WAY OF FURTHER ANSWER AND AS AFFIRMATIVE DEFENSES, 2275 alleges as follows:

11. Plaintiff's Complaint fails to state a claim upon which relief can be granted.

12. That Plaintiff's claimed damages or losses, if any, were in whole or in part the result of the conduct of others over whom 2275 had no control, nor right of control, and any award of damages against 2275 should be reduced accordingly.

13. 2275 reserves the right to assert additional defenses, and to amend its defenses upon further particularization of Plaintiff's claims, or upon further discovery of information concerning Plaintiff's claims.

**DEFENDANT'S PRAYER FOR RELIEF**

WHEREFORE, Defendant 2275 W Burnside, LLC prays for the following relief:

1. For the dismissal of Plaintiff's Complaint with prejudice and without recovery;
2. For 2275's fees and costs as allowed by law and/or statute; and
3. For such and other further relief as this Court deems fit and proper.

DATED this 14<sup>th</sup> day of May, 2020.

KILMER, VOORHEES & LAURICK, P.C.

*s/Robert S. May*

---

Robert S. May, OSB No. 980040

[rmay@kilmerlaw.com](mailto:rmay@kilmerlaw.com)

Phone No.: 503-224-0055

Fax No.: 503-222-5290

Of Attorneys for Defendant 2275 W Burnside, LLC